

FOR IMMEDIATE RELEASE
February 13, 2007

CONTACT: Laura Capps/Melissa Wagoner
(202) 224-2633

****LETTERS, STATEMENTS OF SUPPORT INCLUDED****

CHAIRMAN KENNEDY CHAMPIONS PAID SICK DAYS LEGISLATION

HOLDS HEARING ON HEALTHY FAMILIES ACT TO HELP 66 MILLION AMERICANS

Washington, DC: Today, Senator Edward M. Kennedy, Chairman of the Senate Health, Education, Labor (HELP) Committee held a hearing on the ways paid sick days would impact everyday working families. Currently, almost half of private-sector workers are denied paid sick days and of the lowest quarter of wage earners, 79% have no paid sick days at all. The Healthy Families Act would require employers with 15 or more employees to provide seven paid sick days to care for their own and their families' medical needs, benefiting 66 million Americans: 46 million would gain access to paid sick days; 19 million would gain paid sick days for leave for doctors' visits and family care; and 1 million Americans would gain additional paid sick days.

"We need workplace laws that let working men and women be responsible parents too. The lack of paid sick days isn't just a family issue – it's also a public health issue," Senator Kennedy said. "When sick people go to work or sick children go to school, they infect their coworkers or fellow students and the public as well. In fact, a high proportion of workers who have constant contact with the public have no paid sick days—85 percent of food industry workers and 55 percent of workers in the retail industry are denied that benefit."

The Committee heard testimony from Deborah Ness, President, National Partnership for Women and Families; Dr. Jody Heymann, Professor at McGill University, Director, McGill Institute for Health and Social Policy and Project on Global Working Families; Heidi Hartmann, President, Institute for Women's Policy Research; Dr. Rajiv Bhatia, Director of Occupational and Environmental Health for the San Francisco Department of Public Health and Assistant Clinical Professor of Medicine at University of California at San Francisco; and Mr. G. Roger King, Partner, Jones Day

Below is a fact sheet on the legislation and the issue, as well as Senator Kennedy's full statement which includes anecdotes from the workers present at the hearing who have suffered due to the lack of paid sick days. Letters and statements of support from Massachusetts' Dancing Deer Baking Company, Children's Hospital, Boston, and the Trust for America's Health are included. A PDF letter of support from the Medical Legal Partnership for Children is available upon request.

SUMMARY OF HEALTHY FAMILIES ACT

The Healthy Families Act gives workers the right to paid sick days. It will guarantee working Americans seven paid sick days to care for their own and their families' medical needs. The bill, which applies to employers with 15 or more employees:

Ø Guarantees paid sick days for an employee's medical condition; an employee's doctor's appointment, or other preventative or diagnostic treatment; and to care for a family member with comparable needs;

- Ø Provides prorated leave for part-time employees working between 20 and 30 hours a week or between 1,000 and 1,500 hours a year;
- Ø Allows employers to maintain existing policies that meet these standards, and encourage employers to provide greater benefits;
- Ø Allows employers to request certification for leave for employees who request three or more consecutive days. Employers must keep health information confidential and separate from personnel files;
- Ø Requires employers to post notice of the availability of paid sick leave and how to file an enforcement action;
- Ø Allows an employee or the Secretary of Labor to enforce these rights in federal or state court;
- Ø Requires a GAO study of how these paid sick leave policies are implemented and the benefits and costs to employers and employees of the leave.

WORKING FAMILIES DESERVE PAID SICK DAYS

The Healthy Families Act would guarantee workers seven paid sick days a year. This would benefit 66 million Americans: 46 million would gain access to paid sick days; 19 million would gain paid sick days for leave for doctors' visits and family care; and 1 million Americans would gain additional paid sick days.

Americans strongly support paid sick days. The vast majority of Americans believe that working men and women deserve time off to balance their work responsibilities with their own, and their families' medical needs.

- Ninety-five percent of workers think it is “unacceptable” for an employer to refuse to provide sick days.
- Sixty percent of workers believe it is illegal not to provide sick days.

Unfortunately, too often the reality for American workers falls short of our rhetoric about family values.

- Nearly half of American private-sector workers do not have paid sick days. Only one in three has paid sick days for doctors' appointments.
- The need is particularly urgent among lower-wage workers. In the lowest quarter of wage earners, 79 percent of workers have no paid sick days.

Paid sick days are a children's issue. When children come to school sick, it is harder for them to focus, and harder for the teachers to teach. And everyone's children are protected when sick children stay home and avoid spreading germs.

- Schools are one of the most common sites for the spread of viral infections. While adults average about 2-4 colds per year, children in school average as many as 12 colds a year. Parents without an at-home caregiver need about 4 days per year to care for sick school-age children.
- The Center for Disease Control recommends that children who are sick remain home from school or daycare to prevent the spread of illness.
- Only one in three workers has paid sick days to care for a sick child. This means they must either lose a day's pay or send a child to school sick.

Paid sick days are a public health issue. We need paid sick days to stop the spread of infections that can threaten the health of our entire nation.

- Many workers in industries that require constant contact with the public lack paid sick days:
 - 78 percent of food-service workers do not have paid sick days.
 - 55 percent of workers in the retail industry do not have paid sick days.
 - 29 percent of health care and social assistance workers do not have any paid sick days. These workers may spread disease among patients who are already ill.
- Every day we see examples in the press of norovirus outbreaks and workers being stricken with the flu. In one hotel in Nevada, a worker who lacked paid sick days went to work with a stomach virus and infected 600 guests and 300 employees.
- Workers who do not have paid sick days for doctors' visits do not have the opportunity to get important preventive care, such as flu shots and vaccinations.

Paid sick days are an economic issue. Paid sick days produce savings for businesses through decreased turnover and increased productivity.

- Businesses face a growing problem with "presenteeism"—workers coming in sick. In a recent survey, 56% of human resource executives said that their business has a problem with presenteeism, up from 39% two years ago.

- The Institute for Women's Policy Research estimates that the Healthy Families Act would result in a net savings, after covering costs of paid leave, of \$8 billion per year. Such savings are generated by reducing presenteeism, reducing employee turnover and preventing the spread of the flu.
- A Cornell study found that presenteeism despite medical problems costs \$180 billion annually in lost productivity, and may be more costly than absenteeism due to illness.

**STATEMENT OF SENATOR EDWARD M. KENNEDY
PAID SICK DAYS HEARING
(AS PREPARED FOR DELIVERY)**

Each of us knows what it means to be sick. We've all had to miss occasional days of work because of illness. Every parent knows what it's like to care for a sick child.

As members of Congress, we don't lose our pay or risk our jobs if we stay home when illness strikes. But millions of Americans aren't so fortunate.

Half of private-sector workers in the United States do not have paid sick days. Seventy percent don't have paid sick days they can use to care for family members. They can't take a day off to recover from the flu. They can't leave work to care for a child who is running a fever. Among workers in the lowest income quarter, 80% do not have the ability to take time off for an illness without losing their pay or even their jobs.

This lack of protection is particularly difficult for women and children. Women have moved into the workforce in record numbers, but they continue to take primary responsibility for their children's health. Nearly 80% of mothers say they are solely responsible for their children's medical care.

We're talking about hard-working people like Stephanie Scott and Elnora Collins, who are here today. Stephanie is a full-time teacher at a day-care center. She and colleagues who have been at her workplace for years have no sick days. Elnora is a 67 year old home care worker who is caring for 2 granddaughters. She has no paid sick days. She tells us, "One time I was so sick, I threw up at a client's house." She loves caring for older citizens and doesn't want to desert her clients, but she needs time off to care for her own health.

We're talking about children like Jennetta Allen of Georgia. She says "Once when I was little I got real sick at school. I waited and waited but Mom never came...When my Mom finally made it home she was crying more than I was. She told me her boss would not let her leave. My Mom was fired because her boss thought I might get sick again!"

Children need their parents to have paid sick days. I have here a letter from four pediatricians who work at Boston Medical Center and the South End Community Health Center. I will include this letter in the record, but, briefly, they say: "We strongly support the Healthy Families Act because we believe [it] could be one of the most powerful treatments we have for children. By supporting the

Healthy Families Act, you support minimizing expensive hospital stays for children, and getting parents back to work more quickly.”

If we truly care about families, we have to change our policies. We need workplace laws that let working men and women be responsible parents too.

The lack of paid sick days is not just a family issue – it’s also a public health issue. When sick people go to work or sick children go to school, they infect coworkers or fellow students and the public.

In fact, a high proportion of workers who have constant contact with the public have no paid sick days—85 percent of food service workers and 55 percent of workers in the retail industry are denied that benefit. 30 percent of health care workers can’t take paid time off when they’re ill.

Paid sick days are the obvious solution to prevent the spread of illnesses and reduce medical costs. Every day we see stories in the paper of stomach illnesses breaking out in restaurants or on cruise ships. We learn of flu outbreaks leading to hospitalization of the elderly. These diseases are very contagious, but their spread can be minimized if sick people stay at home.

Paid sick days also give people the opportunity to obtain medical treatment for illnesses or chronic medical conditions. We all know that preventive care helps reduce medical costs.

For all these reasons, paid sick days would result in significant savings to our economy and our healthcare system.

That’s why employers support paid sick days too. Dancing Deer Bakery, a small business in my hometown of Boston Massachusetts, has written a statement that I will include in the record, saying that:

“A national paid sick days law creates a level playing field for all businesses....We hope that a bill will move through both Chambers and be on the President’s desk. Paid sick days should be a non-partisan issue. A healthy nation is a productive nation.”

Paid sick days for workers is a vital step to address health needs. That’s why I’ll be reintroducing the Healthy Families Act—to provide seven paid sick days to workers each year.

We must also move to take steps to deal with other family and work issues. We need to protect workers who seek greater flexibility in the workplace. We need to expand family and medical leave—an issue which Senator Dodd has led for many years. We need to provide affordable child care, such as Senator Murray’s bill to allow time off for parents to attend teacher conferences.

The world and the workforce are changing, and our laws have to catch up. I look forward to hearing from our witnesses today about how we can move forward and make paid sick days our national law.

February 13, 2007

The Honorable Edward M. Kennedy
Chairman
Senate Committee on Health, Education, Labor and Pensions
428 Senate Dirksen Office Building
Washington, DC 20510

Dear Senator Kennedy:

On behalf of Children's Hospital Boston and the children and families we care for, I want to thank you for introducing the Healthy Families Act.

As the Medical Director of the Cerebral Palsy Program at Children's Hospital Boston, I work with families all the time who are trying to balance work responsibilities with caring for their child with complex health care needs. Arranging the time off for medical appointments is a major source of stress. It is important for employers to give families flexibility to meet the health care needs of their child in a timely manner. Children need to have their parents present for emergencies as well as for management of their chronic health concerns. Affording families paid sick days also can reduce the spread of disease in child care settings, schools and at work.

This legislation eases some of the tough choices that families have to make to meet the competing demands of their family and professional lives. I appreciate your work on this important issue.

Sincerely,

Laurie Glader, MD

FOR IMMEDIATE RELEASE

Contact: Kate Fleming
The Rosen Group
212.255.8455
Kate@rosengrouppr.com <mailto:Kate@rosengrouppr.com>

WORKING MOTHER SUPPORTS HEALTHY FAMILIES
Leading WorkLife-balance advocate champions federally-mandated sick leave

New York, NY (February 13, 2007)—When the Senate Committee on Health, Labor and Pensions has its hearing on paid sick days today, the Chair, Senator Edward M. Kennedy (D-MA) will have the support of one of the country's foremost advocates for work-life balance. Working Mother Media (WMM)—the publisher of *Working Mother* magazine and the force behind the 21-year-old signature initiative Working Mother 100 Best Companies—has long advocated family-friendly policies in the workplace. Now, WMM is standing with Senator Kennedy as he promotes common-sense change that will enhance the lives of millions of working Americans.

“Every study, every piece of research shows that giving workers paid sick days to attend to personal concerns, as well as to those of children and extended family members, increases job satisfaction, workplace morale, company profitability, and more,” said Carol Evans, CEO of Working Mother Media.

Evans continued, “This issue is particularly important to women. Mothers are the family health managers in America, and we need to make sure that when the family health manager also works outside the home, she can still perform her important job of keeping her family healthy. It is time to level the playing field by asking government to mandate a standard that protects the health of our working families that all companies must meet.”

With almost half (47%) of full-time, private-sector employees receiving no paid sick days at all, the provision of a minimum standard for paid sick days will dramatically change the lives of countless workers and their families, and poorer Americans, in particular, will benefit from the proposed

legislation.

An estimated three quarters of low-wage workers have no paid sick days, and recent research from the Urban Institute estimates that of working parents with incomes below 200% of the federal poverty line, 41% have no paid leave at all. As a result, workers who least can afford it are forced to miss work to care for themselves and family members, and working women and mothers, as primary household caregivers, feel the burden most acutely.

In response to the issues raised by the Healthy Families Act when it was first introduced, Working Mother Media now plans to focus increased importance on paid sick days in the business world by making sick-leave policy a factor in evaluating applicants to the 100 Best Companies initiative. Evans noted that “We hope that just by asking the question about paid sick days, more companies will pay attention to this vital issue. We are confident that our winners offer great supports to their employees.”

About Working Mother Media

Working Mother Media (WMM), was founded by Evans in 2001 when she acquired, with MCG Capital of Arlington, Virginia, *Working Mother* magazine, the WorkLife Congress, and the National Association for Female Executives (NAFE) and their websites. Since then WMM has launched several new initiatives including the Best Companies for Women of Color, which includes the Multicultural Women's Conference, 12 Multicultural Women's Town Halls in the U.S., Canada and Brazil and web seminars. *Working Mother* magazine, launched 27 years ago, reaches 3 million readers and is still the only national magazine for career-committed mothers. In 2006, WMM acquired Diversity Best Practices and the Business Women's Network, making Working Mother Media the largest media company in the country focused on diversity and the advancement of women.

TFAH Supports the Healthy Families Act; Sick and Family Leave Measures in Bill Would Be Critical for Containing a Possible Pandemic Flu Outbreak

Media Contacts: Laura Segal (202) 223-9870 x 27 or lsegal@tfah.org [<mailto:lsegal@tfah.org>](mailto:lsegal@tfah.org) or Nicole Speulda (202) 223-9870 x29 or nspeulda@tfah.org [<mailto:nspeulda@tfah.org>](mailto:nspeulda@tfah.org) .

Washington, D. C., February 13, 2007 – The following is a statement by Jeff Levi, PhD, Executive Director of Trust for America's Health (TFAH):

“People shouldn't have to choose between protecting the health of their families and a paycheck during a crisis. The sick and family leave measures proposed in the Healthy Families Act, as introduced by Senator Edward Kennedy (D-MA), are important for ensuring that all Americans, regardless of their economic status, could take time off when they are sick or to care for family members. But the proposed sick and family leave policies are also essential for containing the spread of infectious disease and limiting the risk of illness during public health emergencies.

Currently, 59 million workers in the U.S. do not have paid sick leave. Eighty-six million workers do not have paid sick leave that they can use to care for immediate family members. Three out of four 'low-wage' workers have no sick leave at all.

One of the biggest current threats to our nation's health is a possible pandemic flu outbreak. The Centers for Disease Control and Prevention (CDC) is proposing that individuals who might become ill during a pandemic should stay home from work until they are fully recovered (an estimated 10 days), and that household members of those who are sick should also stay home while the individual is sick until it is clear that the household member has not become ill, which is known as voluntary home quarantine. The CDC has also suggested that schools could potentially close for 12 weeks

during a pandemic, leading parents and guardians to struggle with managing child care issues during that time frame.

Compliance with public health recommendations will be critical during the first wave of a pandemic, when vaccines would not yet be widely available. The minimum seven days of paid sick leave a year that employees could use to meet their own medical needs or care for sick family members would allow people to meet most of the minimum requirement for recuperation and family care during a pandemic. TFAH also encourages employers to plan for a possible pandemic, and create tiered sick leave plans to allow for more time off during a public health crisis, when designated by the U.S.. Secretary of Health and Human Services.”

Trust for America’s Health is a non-profit, non-partisan organization dedicated to saving lives by protecting the health of every community and working to make disease prevention a national priority.
www.healthyamericans.org <<http://www.healthyamericans.org>> and www.pandemicfluandyou.org
<<http://www.pandemicfluandyou.org>>

Statement from Dancing Deer Baking Company in Support of Paid Sick Days

February 12, 2007

Employers, families and our economy depend on the existence of a healthy workforce. I commend Senator Kennedy for his leadership in seeking paid sick days for employees around the nation.

At Dancing Deer Baking Company we have always sought to ensure that our employees can have the time to address their own and their families’ health needs. We also provide all employees with short and long term disability insurance as a secondary safety net. Full time non-exempt employees at our company receive a minimum of 15 days per year in their first year of employment as paid time off (which can be used for any reason, including not coming to work because of the flu) which they start accruing immediately upon employment with us. It makes good business sense and good people sense to put structures in place to help people live more balanced, healthier lives.

A national paid sick days law that sets a minimum standard is important because it means that employees do not have to choose between coming to work sick or staying home and losing a day’s wages – or a job. National data indicates about half of private sector employees do not have paid sick days. That’s an incomprehensible statistic, until you break it down and look at the granular, person by person implications. What you find is that health issues and family care issues are often the final straw that throws families into crisis. We see this in our work in the community targeted at ending family homelessness; Our “Sweet Home Project” provides funds that help homeless families (the majority of whom are the working poor) move to healthy, economically stable lives.

A national paid sick days law creates a level playing field for all businesses. Personally I believe that we have a competitive advantage from our benefits policies, but many small businesses struggle with this issue. I believe that creating a level playing field with respect to incentives and requirements for “doing the right thing” is a good idea for all.

It is encouraging that the Committee is holding hearings on paid sick days. We hope that a bill will move through both Chambers and be on the President’s desk. Paid sick days should be a non-partisan issue. A healthy nation is a productive nation.

Founded in 1994 as a local bakery, Dancing Deer has advanced to the national stage through creativity, hard work and a maniacal attention to quality, detail and customer satisfaction. As we learned what and who did and didn't work organizationally, we developed a philosophy for the business. If people are happy, it shows in the food.

Dancing Deer currently has approximately 70 Full-time employees; The Company's policies are tailored to the inner city employee base. Dancing Deer has a low hourly requirement for full time benefits (just 24 hours per week) and a flexible PTO (paid time off) policy, which allows single parents access to health care, and other benefits while managing family commitments

For more information contact:

Ursula Liff

(617) 442-7300 ext: 210

Ursula.liff@Dancingdeer.com [<mailto:Ursula.liff@Dancingdeer.com>](mailto:Ursula.liff@Dancingdeer.com)

77 Shirley Street

Boston, MA 02119